

RECEIVED
CENTRAL FAX CENTER

SEP 24 2004

MARGER JOHNSON & McCOLLOM
PROFESSIONAL CORPORATION

PATENT, TRADEMARK AND COPYRIGHT LAW,
TECHNOLOGY LICENSING & LITIGATION

1030 SW MORRISON STREET
PORTLAND, OREGON 97205 USA

(503) 222-3613
FAX: (503) 274-4622

Internet: www.techlaw.com

TO: Ly D. Pham, Examiner
USPTO, Group Art Unit 2818

FAX: (703) 872-9306

FROM: Julie Reed, Registration No. 35,349

Date: September 24, 2004

Re: Attorney Do. No. 5038-095 – **RESPONSE TO ELECTION
REQUIREMENT**

Number of pages (including this one): 2

In case of error in transmission, call: (503) 222-3613

REMARKS:

In re application of: David G. Chow

Confirmation No.: 2818

Serial No. 10/028,182 Examiner: Ly D. Pham,
Filed: December 21, 2001 Group Art Unit: 2818
For: FERROELECTRIC MEMORY DEVICE AND METHOD
OF READING A FERROELECTRIC MEMORY

NOTICE

This facsimile transmission is attorney-client privileged and confidential information intended only for the recipient named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this communication is strictly prohibited. If you have received this transmission in error, contact us immediately at the number above.

SEP 24 2004

PATENT APPLICATION
Docket No. 5038-095
Intel Ref. P11253

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David G. Chow
Confirmation No.: 2818
Serial No. 10/028,182 Examiner: Ly D. Pham,
Filed: December 21, 2001 Group Art Unit: 2818
For: FERROELECTRIC MEMORY DEVICE AND METHOD
OF READING A FERROELECTRIC MEMORY
Date: September 24, 2004

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION REQUIREMENT

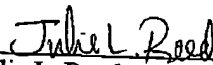
Applicant has received an election requirement in this case. However, the election requirement is not in proper form. According to the MPEP 809.02(a)-(d), and 814, the Examiner should "clearly identify each (or in aggravated cases at least exemplary ones) of the disclosed species... If the species cannot be conveniently identified, the claims may be grouped in accordance with the species to which they are restricted. In this election requirement, no identification of any species, nor were any claim groupings identified. Applicant therefore traverses this requirement as there is no evidence presented that there are patentably distinct species, and Applicant should not be placed in the position of having to guess at what species the Examiner considers to be present.

However, in order to further the progress of this case, Applicant elects any species identified by claim groups 1-16 with traverse.

Customer No. 32231

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.


Julie L. Reed
Registration No. 35,349

1030 SW Morrison Street
Portland, OR 97205
(503) 222-3613

I hereby certify that this correspondence
is being transmitted to the U.S. Patent and
Trademark Office via facsimile number
(703) 8729306. on September 24, 2004.

Signature


Name: Janet Sullivan